IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO. 2399 of 1984

The Bombay Samachar Pvt.Ltd. .. Plaintiff
versus
The Mogul Line Ltd. & Anr. .. Defendants

...

Mr.Sanjeev Singh i/b Narichania & Narichania for the plaintiff.
Mr.R.A.K. Nazam Sani i/b Manjulas Sen for the defendant no.1.

CORAM : D.G. KARNIK,J.

DATED : 22nd July 2005.

P.C.:

1. Heard learned counsel for the plaintiff and defendant no.1. None present for the defendant no.2.

2. Suit is for recovery of money. Defendant no.2 is a formal party. Defendant no.1 has not filed written statement for a period of more that 20 years. Hence, suit of the plaintiff is decreed under Order 18 Rule 10 of the Code of Civil Procedure against defendant no.1 in terms of prayer clauses (a) and (b) with the modification that the interest would be payable at 9% p.a. from the date of the suit till payment.

D.G. KARNIK, J